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**THE CITY OF NEW YORK**  
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June 6, 2014

**By ECF**

Honorable Robert M. Levy  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Gonzalo Cortes, et al. v. City of New York, et al.,  
1:14-cv-3014-SLT-RML

Your Honor:

I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of The City of New York, representing the defendant The City of New York in this action. I am writing to request a sixty-day enlargement of the City's time to answer or otherwise respond to the complaint from June 9, 2014 to August 10, 2014. Plaintiffs' counsel, Gabe Harvis, consents to this request.

Plaintiff alleges in his complaint that he was, *inter alia*, falsely arrested by members of the NYPD on July 1, 2013, subjected to excessive force and maliciously prosecuted. Plaintiff further alleges that all charges related to this arrest have been dismissed and sealed. In order to investigate the allegations in the complaint and meaningfully respond thereto, the City must review the relevant documents. The vast majority of the relevant documents this office relies upon to investigate the complaint consist of paper, the retrieval of which is more labor-intensive and time-consuming than obtaining electronic documents. Further, the documents relevant to the defense of civil rights actions that the City must obtain are often, as in this case, protected from disclosure by state statutes. This office has received releases for records that may have been sealed pursuant to N. Y. Criminal Procedure Law § 160.50. The executed release may be necessary for this office to obtain the District Attorney, Criminal Court and police records pertaining to the events leading up to plaintiff's alleged injuries.

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Accordingly, we respectfully request that the City's time to respond to the complaint be enlarged to August 10, 2014. The City has not previously made any applications for the relief sought herein. Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Elissa B. Jacobs', written in a cursive style.

Elissa B. Jacobs

cc: Gabe Harvis Esq.  
*Attorney for Plaintiffs*

**By ECF**